

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SCOTT WINLAND,

Petitioner,  
v.  
WARDEN, LICKING COUNTY  
JUSTICE CENTER,

CASE NO. 2:08-cv-00832  
JUDGE SARGUS  
MAGISTRATE JUDGE ABEL

Respondent.

**OPINION AND ORDER**

On April 21, 2010, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*.

Petitioner objects to all of the Magistrate Judge's recommendations. He again raises all of the same arguments he previously presented. Specifically, petitioner objects to the Magistrate Judge's recommendation that his claims is procedurally defaulted. He contends that he fairly presented his claims to the state courts and that the ineffective assistance of counsel constitutes cause for his procedural defaults. *See Objections.*

Pursuant to 28 U.S.C. §636(b), this Court has conducted a *de novo* review. This Court has carefully reviewed the entire record. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, petitioner's arguments are not persuasive. Petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

 5-18-2010  
EDMUND A. SARGUS, JR.  
United States District Judge